

**APPOINTMENT OF SUBSTITUTE TRUSTEE AND**  
**NOTICE OF SUBSTITUTE TRUSTEE SALE**

**THIS INSTRUMENT APPOINTS THE SUBSTITUTE TRUSTEE(S) IDENTIFIED TO SELL THE PROPERTY DESCRIBED IN THE SECURITY INSTRUMENT IDENTIFIED IN THIS NOTICE OF SALE THE PERSON SIGNING THIS NOTICE IS THE ATTORNEY AUTHORIZED AGENT OF THE MORTGAGEE OR MORTGAGE SERVICER.**

**APPOINTMENT OF  
SUBSTITUTE TRUSTEE:**

WHEREAS, in my capacity as the attorney for the Mortgagee and/or its Mortgage Servicer, and pursuant to Section 51.0076 of the Texas Property Code, I hereby name, appoint and designate Jack O'Boyle, Chris Ferguson, Travis Gray, Steve Leva, Sandy Dasigenis, Jeff Leva, Lillian Poelker, Travis Gray, Chris Ferguson, or Jack O'Boyle, each as Substitute Trustee, to act under and by virtue of said Deed of Trust, including posting and filing the public notice required under Section 51.002 Texas Property Code as amended, and to proceed with a foreclosure of the Deed of Trust lien securing the payment of the Note.

**SUBSTITUTE TRUSTEE'S  
ADDRESS:**

c/o JACK O'BOYLE & ASSOCIATES, Mailing Address: P.O. Box 815369, Dallas, Texas 75381;  
Physical Address: 12300 Ford Road, Suite 212, Dallas, TX 75234.

**NOTICE OF SUBSTITUTE  
TRUSTEE SALE:**

WHEREAS, default has occurred in the payment of said herein referenced indebtedness, and the same is now wholly due, and the Mortgagee and/or Mortgage Servicer has requested the hereinafter appointed Substitute Trustee to sell said property to the highest bidder for cash and to distribute or apply the proceeds of said sale in accordance with the terms of said Deed of Trust.

NOW, THEREFORE, NOTICE IS HEREBY GIVEN that on June 02, 2020 between the hours of 10am-1pm the Substitute Trustee will sell said real property at the place hereinafter set out and pursuant to the terms herein described. The sale will begin at the earliest time stated above or within three (3) hours after that time.

**LOCATION OF SALE:**

The place of the sale shall be: The first floor lobby of the Galveston County Courthouse, 722 Moody, Galveston, Texas, or if the preceding area is no longer the designated area, at the area most recently designated by the County Commissioner's Court in GALVESTON County, Texas or as designated by the County Commissioners.

**INSTRUMENT TO BE  
FORECLOSED:**

Deed of Trust or Contract Lien dated 02/09/2007 and recorded under Volume, Page or Clerk's File No. INSTRUMENT NO. 2007010453 in the real property records of Galveston County Texas, with ANN PEARLINE HAWKINS, A SINGLE WOMAN as Grantor(s) and CITIFINANCIAL, INC. as Original Mortgagee.

**OBLIGATIONS SECURED:**

Deed of Trust or Contract Lien executed by ANN PEARLINE HAWKINS, A SINGLE WOMAN securing the payment of the indebtedness in the original principal amount of \$50,798.96 and obligations therein described including but not limited to the promissory note and all the modifications, renewals and extensions of the promissory note (the "Note") executed by ANN PEARLINE HAWKINS. U.S. Bank Trust National Association as Trustee of American Homeowner Preservation Trust Series 2015A+ is the current mortgagee (the "Mortgagee") of the Note and Deed of Trust or Contract Lien.

**MORTGAGE SERVICING  
INFORMATION:**

The Mortgage Servicer is authorized to represent the Mortgagee by virtue of a servicing agreement with the Mortgagee. Pursuant to the Servicing Agreement and Texas Property Code 51.0025, the Mortgage Servicer is authorized to collect the debt and to administer any resulting foreclosure of the property securing the above referenced loan. AHP SERVICING, LLC is acting as the Mortgage Servicer for U.S. BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE OF AMERICAN HOMEOWNER PRESERVATION TRUST SERIES 2015A+ who is the Mortgagee of the Note and Deed of Trust associated with the above referenced loan. AHP SERVICING, LLC, as Mortgage Servicer, is representing the Mortgagee, whose address is:

U.S. BANK TRUST NATIONAL ASSOCIATION AS TRUSTEE OF  
AMERICAN HOMEOWNER PRESERVATION TRUST SERIES 2015A+

c/o AHP SERVICING, LLC  
440 S LASALLE ST, STE 1110  
CHICAGO, IL 60605

**LEGAL DESCRIPTION OF  
PROPERTY TO BE SOLD:**

LOT FORTY (40) OF EMERALD TERRACE, A SUBDIVISION IN TEXAS CITY, GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OF SAID SUBDIVISION, OF RECORD IN VOLUME 254A, PAGE 69 IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS (the "Property")

**REPORTED PROPERTY  
ADDRESS:**

6109 Diamond Court, TEXAS CITY, TX 77591

**TERMS OF SALE:** The Substitute Trustee will sell the Property by public auction at the place and date specified herein.

Pursuant to Section 51.009 of the Texas Property Code, the property will be sold in "AS IS, WHERE IS" condition, without any express or implied warranties, except as to the warranties of title (if any) provided for under the Deed of Trust. Prospective bidders are advised to conduct an independent investigation of the nature and physical condition of the property and the priority of the lien being foreclosed.

The sale will be conducted as a public auction to the highest bidder for cash, subject to the provisions of the Deed of Trust permitting the Mortgagee and/or Mortgage Servicer thereunder to have the bid credited to the Note up to the amount of the unpaid debt secured by the Deed of Trust at the time of sale.

Those desiring to purchase the property will need to demonstrate their ability to pay their bid immediately in cash if their bid is accepted.

The sale will be made expressly subject to any title matters set forth in the Deed of Trust, but prospective bidders are reminded that by law the sale will necessarily be made subject to all prior matters of record affecting the property, if any, to the extent that they remain in force and effect and have not been subordinated to the Deed of Trust. The sale shall not cover any part of the property that has been released of public record from the lien of the Deed of Trust. Prospective bidders are strongly urged to examine the applicable property records to determine the priority, nature and extent of such matters, if any.

In the event of a defect or other problem with the foreclosure process is discovered that may invalidate the sale, the consideration paid will be returned to the purchaser as the sole and absolute remedy. In the event of any claim or action brought by any person including the purchaser requiring or resulting in the invalidation of the sale and rescission of the Trustee's Deed or Substitute Trustee's Deed, purchaser's damages resulting therefrom are limited to the consideration paid to the Trustee or Substitute Trustee and the sole and absolute remedy shall be the return to purchaser of the consideration paid. The purchaser shall have no further recourse against the Trustee, Substitute Trustee, Mortgagee and/or Mortgage Servicer, or its attorney(s).

The Deed of Trust permits the Mortgagee and/or Mortgage Servicer to postpone, withdraw, or reschedule the sale for another day. In that case, the Trustee under the Deed of Trust or Substitute Trustee appointed herein need not appear at the date, time and place of a scheduled sale to announce the postponement, withdrawal, or rescheduling. Notice of the date of any rescheduled foreclosure sale will be reposted and refiled in accordance with the posting and filing requirements of the Texas Property Code. The reposting or refiled may be after the date originally scheduled for this sale.

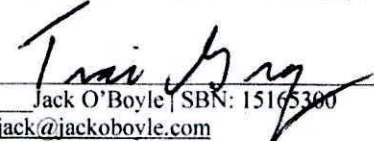
**ASSERT AND PROTECT YOUR RIGHTS AS A MEMBER OF THE ARMED FORCES OF THE UNITED STATES. IF YOU ARE OR YOUR SPOUSE IS SERVING ON ACTIVE MILITARY DUTY, INCLUDING ACTIVE MILITARY DUTY AS A MEMBER OF THE TEXAS NATIONAL GUARD OR THE NATIONAL GUARD OF ANOTHER STATE OR AS A MEMBER OF A RESERVE COMPONENT OF THE ARMED FORCES OF THE UNITED STATES, PLEASE SEND WRITTEN NOTICE OF THE ACTIVE DUTY MILITARY SERVICE TO THE SENDER OF THIS NOTICE IMMEDIATELY.**



Signed on the 22 day of April, 20 20

Respectfully,

JACK O'BOYLE & ASSOCIATES, PLLC

  
\_\_\_\_\_  
Jack O'Boyle | SBN: 15165300  
[jack@jackoboyle.com](mailto:jack@jackoboyle.com)

✓ Travis H. Gray | SBN: 24044965  
[travis@jackoboyle.com](mailto:travis@jackoboyle.com)

Chris S. Ferguson | SBN: 24069714  
[chris@jackoboyle.com](mailto:chris@jackoboyle.com)


P.O. Box 815369

Dallas, Texas 75381

P: 972.247.0653 | F: 972.247.0642

ATTORNEYS FOR MORTGAGEE AND/OR ITS MORTGAGE  
SERVICER

17-CV-0584  
DCJUF  
Judgment - Final - Default - OCA  
1442132



File No. 14-017024

CAUSE NO. 17-CV-0584

2017 JUN 27 AM 10:39

IN RE: ORDER FOR FORECLOSURE  
CONCERNING

  
IN THE DISTRICT COURT OF  
GALVESTON COUNTY, TEXAS

6109 DIAMOND  
TEXAS CITY, TEXAS 77591 UNDER  
TEX. R. CIV. PROC. 736 AND ANN  
PEARLINE HAWKINS A/K/A ANN P.  
HAWKINS, DECEASED AND THE HEIRS  
AT LAW OF ANN PEARLINE HAWKINS  
A/K/A ANN P. HAWKINS

GALVESTON COUNTY, TEXAS

10<sup>TH</sup> JUDICIAL DISTRICT

**ORDER GRANTING PETITIONER'S APPLICATION FOR EXPEDITED  
FORECLOSURE UNDER TEX. R. CIV. PROC. 736**

Came on for consideration the Application of CitiFinancial Servicing LLC, A Delaware Limited Liability Company (hereinafter Petitioner), for Order for Foreclosure pursuant to Rule 736 of the Texas Rules of Civil Procedure. The Court is of the opinion that said application should be GRANTED.

The court finds this is an in rem proceeding; that the Application filed by Petitioner complies with TEX.R.CIV.PROC. 735 and 736; that specifically:

1. Rule 736.8 (b) (1) – A monetary default under the Texas Home Equity Security Instrument exists. Respondent is in default on its obligation to Petitioner in that payments have not been made when due and owing pursuant to the terms of the Note and Security Instrument.
2. Rule 736.8 (b) (2) – the property to be foreclosed is commonly known as 6109 DIAMOND, TEXAS CITY, TX 77591. The legal description of the Property is:

LOT FORTY (40) OF EMERALD TERRACE, A SUBDIVISION IN TEXAS CITY,  
GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OF SAID SUBDIVISION,  
14-017024

OF RECORD IN VOLUME 254A, PAGE 69 IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS.

3. Rule 736.8(b) (3) - Respondent is Sharee Hawkins, whose last known address is 25469 Borough Park Drive, Apt 127, Spring, TX 77380.
4. Rule 736.8(b) (3) - Respondent is Leacardela Hawkins, whose last known address is 6109 Diamond, Texas City, TX 77591.
5. Rule 736.8(b) (3) - Respondent is Lajernie A. Hawkins, whose last known address is 7555 Medical Center Drive #7103, Texas City, TX 77591.
6. Rule 736.8(b) (3) - Respondent is Ann Pearline Hawkins, Deceased, whose last known address is 6109 Diamond, Texas City, TX 77591.
7. Rule 736.8(b) (3) - Respondent is Ann Pearline Hawkins, Deceased, whose last known address is 6109 Diamond Court, Texas City, TX 77591.
8. Rule 736.8(b) (4) - Texas Home Equity Security Instrument was duly recorded in the Official Real Property Records of Galveston County, Texas under clerk's file number: 2007010453

The court further finds that Respondent has not previously filed a Response; that pursuant to Tex. R. Civ. Proc. Rule 736 (b) (2) the District Clerk served Respondent with citation on May 12, 2017; Respondent's response due date was June 22, 2017; and that the Petitioner should proceed with foreclosure of the Property under the terms of the security instrument and Texas Property Code § 51.002 and TEX. R. CIV. PROC. 735 AND 736.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that the Petitioner, its successors and assigns, may proceed with foreclosure under the Security Instrument executed by SHAREE HAWKINS; LEACARDELA HAWKINS; LAJERNIE A. HAWKINS; AND ANN PEARLINE HAWKINS, DECEASED and recorded in the Official Real Property Records of

Galveston County, Texas under clerk's file number: 2007010453, executed by Respondent, and TEX. PROP. CODE § 51.002 of the property located at 6109 DIAMOND, TEXAS CITY, TX 77591 and as described as follows:

LOT FORTY (40) OF EMERALD TERRACE, A SUBDIVISION IN TEXAS CITY, GALVESTON COUNTY, TEXAS, ACCORDING TO THE MAP OF SAID SUBDIVISION, OF RECORD IN VOLUME 254A, PAGE 69 IN THE OFFICE OF THE COUNTY CLERK OF GALVESTON COUNTY, TEXAS.

IT IS FURTHER ORDERED that Petitioner will attach a copy of this Order to the trustee or substitute trustee's foreclosure deed.

SIGNED this 27<sup>TH</sup> day of JUNE, 2017

  
JUDGE PRESIDING

APPROVED AS TO FORM AND ENTRY REQUESTED:

  
Kirk Schwartz  
Texas Bar # 24004908

★ C. Dexter Jordan IV  
Texas Bar # 24083276  
13105 Northwest Freeway, Suite 1200  
Houston, TX 77040  
Telephone (713)462-2565  
Facsimile (847)879-4823  
Email: TXHomeEquity@logs.com  
ATTORNEY FOR APPLICANT(S)  
SS File #: 14-017024

**After Recording please return to:**  
SHAPIRO SCHWARTZ, LLP,  
13105 Northwest Freeway, Suite  
1200, Houston, TX 77040



**FILED**

Instrument Number: *FILED2020000547*

Filing Fee: 23.00

Number Of Pages:7

Filing Date: 05/11/2020 12:21PM

I hereby certify that this instrument was FILED on the date and time stamped hereon  
and RECORDED in the OFFICIAL PUBLIC RECORDS of Galveston County, Texas.



A handwritten signature in black ink, reading "Dwight D. Sullivan". The signature is written in a cursive style with a horizontal line underneath it.

Dwight D. Sullivan, County Clerk  
Galveston County, Texas

**DO NOT DESTROY** - *Warning, this document is part of the Official Public Record.*